

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JUN 03 2010 ★

TM:JMR  
F.#2010R00451

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

- - - - -X

UNITED STATES OF AMERICA

S U P E R S E D I N G  
I N D I C T M E N T

- against -

BENNY AUYEUNG,  
JOSHUA C. BANNER,  
    also known as  
    "Joshua Benner" and "Pops,"  
    and  
THOMAS NG,  
    also known as  
    "Tommy," "Eddie" and "E,"

Cr. No. 10-254 (S-1) (SLT)  
(T. 18, U.S.C., §§  
924(c)(1)(A)(ii),  
1951(a), 2 and 3551 et  
seq.)

Defendants.

- - - - -X

THE GRAND JURY CHARGES:

COUNT ONE  
(Hobbs Act Robbery Conspiracy)

In or about and between September 2009 and October 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants BENNY AUYEUNG, JOSHUA C. BANNER, also known as "Joshua Benner" and "Pops," and THOMAS NG, also known as "Tommy," "Eddie" and "E," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce and the movement of articles and commodities in commerce by robbery, to wit: the robbery of one or more owners,

employees and patrons of a gambling club located at 830 59th Street, Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT TWO  
(Hobbs Act Robbery)

On or about October 5, 2009, within the Eastern District of New York, the defendants BENNY AUYEUNG, JOSHUA C. BANNER, also known as "Joshua Benner" and "Pops," and THOMAS NG, also known as "Tommy," "Eddie" and "E," together with others, did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by robbery, to wit: the robbery of one or more owners, employees and patrons of a gambling club located at 830 59th Street, Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

COUNT THREE  
(Use of a Firearm)

On or about October 5, 2009, within the Eastern District of New York, the defendants BENNY AUYEUNG, JOSHUA C. BANNER, also known as "Joshua Benner" and "Pops," and THOMAS NG, also known as "Tommy," "Eddie" and "E," together with others, did knowingly and intentionally use and carry a firearm during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts One and Two, and did knowingly and intentionally possess a firearm

in furtherance of one or more of those crimes of violence, which firearm was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii), 2 and 3551 et seq.)

COUNT FOUR  
(Hobbs Act Robbery Conspiracy)

In or about and between September 2009 and October 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants BENNY AUYEUNG and THOMAS NG, also known as "Tommy," "Eddie" and "E," together with others, did knowingly and intentionally conspire to obstruct, delay and affect commerce and the movement of articles and commodities in commerce by robbery, to wit: the robbery of one or more owners, employees and patrons of a gambling club located at 816 58th Street, Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a) and 3551 et seq.)

COUNT FIVE  
(Hobbs Act Robbery)

On or about October 10, 2009, within the Eastern District of New York, the defendants BENNY AUYEUNG and THOMAS NG, also known as "Tommy," "Eddie" and "E," together with others, did knowingly and intentionally obstruct, delay and affect commerce and the movement of articles and commodities in commerce by robbery, to wit: the robbery of one or more owners, employees and patrons of a

gambling club located at 816 58th Street, Brooklyn, New York.

(Title 18, United States Code, Sections 1951(a), 2 and 3551 et seq.)

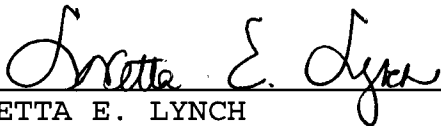
COUNT SIX  
(Use of a Firearm)

On or about October 10, 2009, within the Eastern District of New York, the defendants BENNY AUYEUNG and THOMAS NG, also known as "Tommy," "Eddie" and "E," together with others, did knowingly and intentionally use and carry a firearm during and in relation to one or more crimes of violence, to wit: the crimes charged in Counts Four and Five, and did knowingly and intentionally possess a firearm in furtherance of one or more of those crimes of violence, which firearm was brandished.

(Title 18, United States Code, Sections 924(c) (1) (A) (ii), 2 and 3551 et seq.)

A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON



LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

No.

**UNITED STATES DISTRICT COURT**

**EASTERN District of NEW YORK**

**CRIMINAL DIVISION**

**THE UNITED STATES OF AMERICA**

vs.

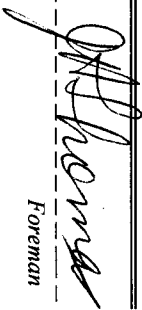
**BENNY AUYEUNG, JOSHUA C. BANNER and THOMAS NG,**

**Defendants.**

**SUPERSEDING INDICTMENT**

(T. 18, U.S.C., §§ 924(c)(1)(A)(ii), 1951(a), 2 and 3551 et seq.)

*A true bill.*

  
Foreman

Filed in open court this \_\_\_\_\_ day,

of \_\_\_\_\_ A.D. 20 \_\_\_\_\_

Clerk

Bail, \$ \_\_\_\_\_

*Jacquelyn Rasulo, Assistant U.S. Attorney (718-254-6103)*